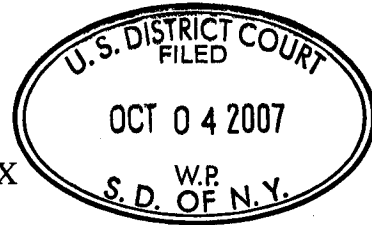


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
THE ANNUITY, PENSION, WELFARE and APPRENTICESHIP  
SKILL IMPROVEMENT AND SAFETY FUNDS of the  
INTERNATIONAL UNION OF OPERATING ENGINEERS,  
LOCAL 137, 137A, 137B, 137C & 137R, AFL-CIO, by its  
TRUSTEES EDWARD KELLY, JEFFREY LOUGHLIN,  
PETER PATERNO, ROSS PEPE, NICHOLAS SIGNORELLI  
and NICHOLAS SIGNORELLI, JR., and JOHN and JANE DOE,  
as Beneficiaries of the ANNUITY, PENSION, WELFARE and  
APPRENTICESHIP SKILL IMPROVEMENT AND SAFETY  
FUNDS of the INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL 137, 137A, 137B, 137C & 137R, AFL-CIO,

**NOTICE OF  
MOTION FOR  
DEFAULT JUDGMENT**

07-CIV-5557 (CLB)

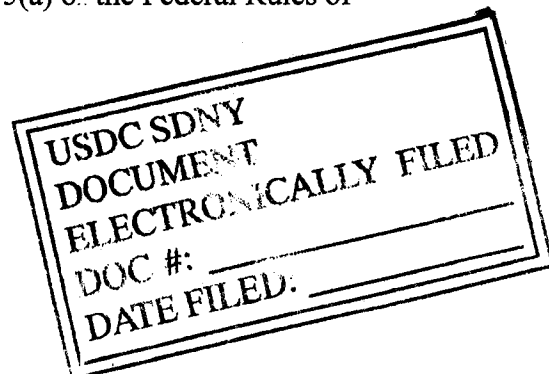
Plaintiffs,

-against-

D.E.W. CONSTRUCTION, INC.,

Defendant.  
-----X

**PLEASE TAKE NOTICE**, that upon the Affidavit of JAMES M. STEINBERG, ESQ.,  
sworn to on the 3<sup>rd</sup> day of October, 2007, Plaintiffs' Statement of Damages, and upon all of the  
prior papers and proceedings heretofore served and had herein, Plaintiffs, by their attorneys  
BRADY McGUIRE & STEINBERG, P.C., will move this court, at the United States Courthouse  
located at 300 Quarropas Street, White Plains, New York, before the Honorable Charles L.  
Brieant, at a date and time scheduled by the Court, for a judgment of default against Defendant  
D.E.W. CONSTRUCTION, INC. pursuant to Rule 55(a) of the Federal Rules of



Civil Procedure in the amount of \$51,310.60, together with such other and further relief as this Court may deem just, proper and equitable.

Dated: Hastings-on-Hudson, New York  
October 3, 2007

Respectfully submitted,

BRADY McGUIRE & STEINBERG, P.C.

By: 

James M. Steinberg (JS-3515)

Attorneys for Plaintiffs

603 Warburton Avenue

Hastings-on-Hudson, New York 10706

(914) 478-4293

TO: D.E.W. CONSTRUCTION, INC.  
66 East Forest Trail  
Holmes, New York 12563